

Senate Engrossed

**FILED**

**MICHELE REAGAN  
SECRETARY OF STATE**

State of Arizona  
Senate  
Fifty-second Legislature  
First Regular Session  
2015

CHAPTER 2

# **SENATE BILL 1149**

AN ACT

AMENDING SECTIONS 32-1403.01 AND 32-1430, ARIZONA REVISED STATUTES; MAKING AN APPROPRIATION; RELATING TO THE ARIZONA MEDICAL BOARD.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 32-1403.01, Arizona Revised Statutes, is amended to  
3 read:

4 32-1403.01. Licensees; profiles; required information; updates;  
5 civil penalty

6 A. The board shall make available to the public a profile of each  
7 licensee. The board shall make this information available through an  
8 internet website and, if requested, in writing. THE PROFILE AVAILABLE TO THE  
9 PUBLIC MAY NOT CONTAIN ANY INFORMATION RECEIVED FROM THE FEDERAL BUREAU OF  
10 INVESTIGATION RELATING TO A FEDERAL CRIMINAL RECORDS CHECK. The profile  
11 shall contain the following information:

12 1. A description of any conviction of a felony. For purposes of this  
13 paragraph, a licensee is deemed to be convicted if the licensee pled guilty,  
14 pled no contest or was found guilty by a court of competent jurisdiction.

15 2. A description of any conviction of a misdemeanor involving moral  
16 turpitude that results in disciplinary action. For purposes of this  
17 paragraph, a licensee is deemed to be convicted if the licensee pled guilty,  
18 pled no contest or was found guilty by a court of competent jurisdiction.

19 3. All final board disciplinary actions.

20 4. Any medical malpractice court judgments and any medical malpractice  
21 awards or settlements in which a payment is made to a complaining party that  
22 results in disciplinary action.

23 5. The name and location of the licensee's medical school and the date  
24 of graduation.

25 6. The name and location of the institution from which the licensee  
26 received graduate medical education and the date that education was  
27 completed.

28 7. The licensee's primary practice location.

29 B. Each licensee shall submit the information required pursuant to  
30 subsection A of this section each year as directed by the board. An  
31 applicant for licensure shall submit this information at the time of  
32 application. The applicant and licensee shall submit the information on a  
33 form prescribed by the board. A licensee shall submit immediately any  
34 changes in information required pursuant to subsection A, paragraphs 1, 2 and  
35 4 of this section. The board shall update immediately its internet website  
36 to reflect changes in information relating to subsection A, paragraphs 1  
37 through 4 of this section. The board shall update the internet website  
38 information at least annually.

39 C. The board shall provide each licensee with the licensee's profile  
40 on request and shall make valid and verifiable corrections to the profile on  
41 notification at any time by the licensee. A change made by a licensee to an  
42 address or telephone number is subject to the requirements of section  
43 32-1435.

44 D. It is an act of unprofessional conduct for a licensee to provide  
45 erroneous information pursuant to this section. In addition to other

1 disciplinary action, the board may impose a civil penalty of not more than  
2 one thousand dollars for each erroneous statement.

3 E. If the board issues a nondisciplinary order or action against a  
4 licensee, the record of the nondisciplinary order or action is available to  
5 the public but may not appear on the board's website, except that a practice  
6 limitation or restriction, and documentation relating to that action, may  
7 appear on the board's website. On request, the board shall send within five  
8 business days, either electronically or by mail, information relating to any  
9 nondisciplinary order or action against a licensee to a person requesting the  
10 information.

11 Sec. 2. Section 32-1430, Arizona Revised Statutes, is amended to read:

12 32-1430. License renewal; expiration

13 A. Except as provided in section 32-4301, each person holding an  
14 active license to practice medicine in this state shall renew the license  
15 every other year on or before the licensee's birthday and shall pay the fee  
16 required by this article, accompanied by a completed renewal form. The board  
17 shall provide the renewal form online and, on request, shall mail the form to  
18 the licensee. A licensee who does not renew an active license as required by  
19 this subsection on or before thirty days after the licensee's birthday must  
20 also pay a penalty fee as required by this article for late renewal. A  
21 licensee's license automatically expires if the licensee does not renew an  
22 active license within four months after the licensee's birthday. A person  
23 who practices medicine in this state after that person's active license has  
24 expired is in violation of this chapter.

25 B. A person renewing an active license to practice medicine in this  
26 state shall provide to the board as part of the renewal process a report of  
27 disciplinary actions, restrictions or any other action placed on or against  
28 that person's license or practice by another state licensing or disciplinary  
29 board or an agency of the federal government. This action may include  
30 denying a license or failing the special purpose licensing examination. The  
31 report shall include the name and address of the sanctioning agency or health  
32 care institution, the nature of the action taken and a general statement of  
33 the charges leading to the action taken.

34 C. The licensee shall submit proof with the renewal form of having  
35 completed a training unit as prescribed by the board relating to the  
36 requirements of this chapter and board rules.

37 D. A person whose license has expired may reapply for a license to  
38 practice medicine as provided in this chapter.

39 ~~E. Beginning September 2, 2014, if a person did not submit~~  
40 ~~fingerprints for a criminal records check when the person was initially~~  
41 ~~licensed pursuant to section 32-1422, the person renewing an active license~~  
42 ~~to practice medicine in this state for the first time on or after September~~  
43 ~~2, 2014 shall submit a full set of fingerprints to the board for the purpose~~  
44 ~~of obtaining a state and federal criminal records check pursuant to section~~

1 ~~41-1750 and Public Law 92-544. The department of public safety may exchange~~  
2 ~~this fingerprint data with the federal bureau of investigation.~~

3 Sec. 3. Appropriation; Arizona medical board; purpose

4 In addition to any other monies appropriated for fiscal year 2014-2015,  
5 the sum of \$200,000 is appropriated from the Arizona medical board fund  
6 established by section 32-1406, Arizona Revised Statutes, in fiscal year  
7 2014-2015 to the Arizona medical board to refund fees collected by the board  
8 for the purpose of obtaining state and federal criminal records checks for  
9 renewal applications.

10 Sec. 4. Applicability

11 Section 32-1430, Arizona Revised Statutes, as amended by this act,  
12 applies to all renewal applications for active licenses to practice medicine  
13 that are currently under consideration by the Arizona medical board.

14 Sec. 5. Retroactivity

15 Section 32-1430, Arizona Revised Statutes, as amended by this act,  
16 applies retroactively to from and after September 1, 2014.

17 Sec. 6. Emergency

18 This act is an emergency measure that is necessary to preserve the  
19 public peace, health or safety and is operative immediately as provided by  
20 law.

APPROVED BY THE GOVERNOR FEBRUARY 18, 2015

FILED IN THE OFFICE OF THE SECRETARY OF STATE FEBRUARY 18, 2015

Passed the House February 12, 20 15,

by the following vote: 58 Ayes,

0 Nays, 2 Not Voting  
w/Emergency

Speaker of the House

Pro Tempore

Jim Drab  
Chief Clerk of the House

Passed the Senate February 10, 20 15,

by the following vote: 28 Ayes,

0 Nays, 2 Not Voting  
With Emergency

President of the Senate

Channing Belliston  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

17 day of February, 20 15,

at 8:57 o'clock A. M.

Matthew K. Montez  
Secretary to the Governor

Approved this 18 day of

February, 20 15,

at 10:03 o'clock A. M.

Daryl R. Ivey  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 18<sup>th</sup> day of February, 20 15,

at 1:53 o'clock P. M.

Michael Reagan  
Secretary of State

S.B. 1149